

No. 24-10230

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In the  
**United States Court of Appeals**  
**for the Eleventh Circuit**

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Alpha Phi Alpha Fraternity, Inc., et al.,  
*Plaintiff-Appellants,*  
v.

Secretary of State of Georgia,  
*Defendant-Appellee.*

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On Appeal from the United States District Court for the  
Northern District of Georgia, Atlanta Division.  
No. 1:21-cv-05337 — Steve C. Jones, *Judge*

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**MOTION FOR EXTENSION OF TIME TO FILE**  
**APPELLEE'S BRIEF**

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Diane F. LaRoss  
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*Counsel for the Secretary of State of Georgia*

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No. 24-10231

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In the  
**United States Court of Appeals**  
**for the Eleventh Circuit**

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Coakley Pendergrass, et al.,  
*Plaintiff-Appellants,*  
v.

Secretary of State of Georgia,  
*Defendant-Appellee.*

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On Appeal from the United States District Court for the  
Northern District of Georgia, Atlanta Division.  
No. 1:21-cv-05339 — Steve C. Jones, *Judge*

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**MOTION FOR EXTENSION OF TIME TO FILE**  
**APPELLEE'S BRIEF**

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*Counsel for the Secretary of State of Georgia*

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No. 24-10241

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In the  
**United States Court of Appeals**  
**for the Eleventh Circuit**

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Annie Lois Grant, et al.,  
*Plaintiff-Appellants,*  
v.

Secretary of State of Georgia,  
*Defendant-Appellee.*

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On Appeal from the United States District Court for the  
Northern District of Georgia, Atlanta Division.  
No. 1:22-cv-00122 — Steve C. Jones, *Judge*

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**MOTION FOR EXTENSION OF TIME TO FILE**  
**APPELLEE'S BRIEF**

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*Counsel for the Secretary of State of Georgia*

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*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

## **CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT**

I hereby certify that the following persons and entities may have an interest in the outcome of this case:

Albert M. Pearson LLC, Counsel for Amicus;

Allensworth, Robert M., Attempted Amicus;

Alpha Phi Alpha Fraternity, Inc., *APA* Plaintiff;

Adegbile, Debo, Counsel for *APA* Plaintiffs;

Allen, De'Ericka, Counsel for *APA* Plaintiffs;

American Civil Liberties Union Foundation, Inc., Counsel for *APA* Plaintiffs;

American Civil Liberties Union Foundation of Georgia, Inc.,  
Counsel for *APA* Plaintiffs;

Arbuthnot, Jacqueline Faye, *Grant* Plaintiff;

Bokat-Lindell, Noah B., Counsel for Intervenor U.S. Department  
of Justice;

Boone, Robert, Counsel for *APA* Plaintiffs;

Bowles, Jasmine, Amicus;

Boyle, Jr., Donald P., Counsel for Defendant;

Brown, Phil, *APA* Plaintiff;

Brown, Theron, *Grant* Plaintiff;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Bush, Jacquelyn, *Grant* Plaintiff;

Calvo-Friedman, Jennessa, Former Counsel for *APA* Plaintiffs;

Carr, Christopher M., Counsel for Defendant;

Cheung, Ming, Counsel for *APA* Plaintiffs;

Common Cause, Amicus;

Conner, Mary Nell, *Grant* Plaintiff;

Crowell & Moring LLP, Counsel for Amicus;

Data, Sonika, Counsel for *APA* Plaintiffs;

DiGiuseppe, Marisa A., Counsel for *APA* Plaintiffs;

Douglas, Maura, Counsel for *APA* Plaintiffs;

Draper, Paul, Counsel for Defendant;

Georgia Department of Law, Counsel for Defendant;

Davis, Alexander S., Counsel for Amicus;

Dechert LLP, Counsel for Amicus;

DiGiuseppe, Marisa A., Counsel for *APA* Plaintiffs;

Dixit, Anuj, Counsel for *APA* Plaintiffs;

Douglas, Maura, Counsel for *APA* Plaintiffs;

Duffey, Jr., William S., Former Defendant in *Grant* and  
*Pendergrass*;

Election Law Clinic at Harvard Law School, Amicus;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Elias Law Group LLP, Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Fair Districts GA, Amicus;

Flynn, Erin H., Counsel for Intervenor;

Ford, Christina Ashley, Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Freeman, Daniel J., Counsel for Intervenor;

GALEO Latino Community Development Fund, Inc., Amicus;

Garabadu, Rahul, Former Counsel for *APA* Plaintiffs;

Geaghan-Breiner, Charlotte, Counsel for *APA* Plaintiffs;

Genberg, Jack, Counsel for Amicus;

Georgia Coalition for the People's Agenda, Amicus;

Georgia State Conference of the NAACP, Amicus;

Ghazal, Sara Tindall, Former Defendant in *Grant* and  
*Pendergrass*;

Glaze, Ojuan, *Pendergrass* Plaintiff;

Glenn, Katie Bailey, *APA* Plaintiff;

Grant, Annie Lois, *Grant* Plaintiff;

Graves, Cheryl, Amicus;

Greenbaum, Jon, Counsel for Amicus;

Greenwood, Ruth M., Counsel for Amicus;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Hamilton, Kevin J., Former Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Harrison, Keith, Counsel for Amicus;

Hawley, Jonathan Patrick, Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Heard, Bradley E., Counsel for Amicus;

Heaven, Astor H.L., Counsel for Amicus;

Hennington, Elliott, *Pendergrass* Plaintiff;

Hessel, Daniel J., Counsel for Amicus;

Houk, Julie M., Counsel for Amicus;

Howell, Quentin T., *Grant* Plaintiff;

Isaacson, Cory, Counsel for *APA* Plaintiffs;

Ivey, Marvis McDaniel, Amicus;

Jacoutot, Bryan F., Counsel for Defendant;

Jackson, Toni Michelle, Counsel for Amicus;

James, Triana Arnold, *Grant* and *Pendergrass* Plaintiff;

Jamieson, Nathan, Counsel for Amicus;

Johnston, Janice W., Former Defendant in *Grant* and  
*Pendergrass*;

Jones, Michael Brandon, Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

*Alpha Phi Alpha Fraternity v. Sec’y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec’y of State of Ga.*, No. 24-10231;

*Grant v. Sec’y of State of Ga.*, No. 24-10241

Jones, Steve C., Judge, U.S. District Court, Northern District of Georgia;

Kastorf Law LLP, Counsel for Amicus;

Kastorf, Kurt, Counsel for Amicus;

Khanna, Abha, Counsel for *Grant* and *Pendergrass* Plaintiffs;

Kim, Eliot, Former Counsel for *APA* Plaintiffs;

Kim, Taeyoung, Counsel for *APA* Plaintiffs;

Krevolin & Horst LLC, Counsel for *Grant* and *Pendergrass* Plaintiffs;

Lakin, Sophia Lin, Counsel for *APA* Plaintiffs;

LaRoss, Diane F., Counsel for Defendant;

Lawyers’ Committee for Civil Rights Under Law, Counsel for Amicus;

Le, Anh, Former Defendant in *Grant* and *Pendergrass*;

League of Women Voters of Georgia, Amicus;

Lee, Theresa J., Counsel for Amicus;

Lewis, Joyce Gist, Counsel for *Grant* and *Pendergrass* Plaintiffs;

Lindsey, Edward, Former Defendant in *Grant* and *Pendergrass*;

Love-Olivo, Cassandra Nicole, Counsel for Amicus;

Mashburn, Matthew, Former Defendant in *Grant* and *Pendergrass*;



*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

May, Caitlyn Felt, Counsel for *APA* Plaintiffs;

McGowan, Charlene, Former Counsel for Defendant;

Miller, Alex W., Counsel for *APA* Plaintiffs;

Miller, Kelsey A., Counsel for *APA* Plaintiffs;

Mitchell, Cassandra, Counsel for *APA* Plaintiffs;

O'Donnell, Courtney, Counsel for Amicus;

Osher, Daniel C., Former Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Paradise, Loree Anne, Former Counsel for Defendant;

Pearson, III, Albert Matthews, Counsel for Amicus;

Pendergrass, Coakley, *Pendergrass* Plaintiff;

Perkins Coie LLP, Former Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Perkins, Brianne, Amicus;

Petrany, Stephen J., Solicitor General, Counsel for Defendant;

Raffensperger, Brad, Defendant in his official capacity as  
Secretary of State of Georgia;

Reynolds, Garrett, *Grant* Plaintiff;

Richards, Roberts, *Pendergrass* Plaintiff;

Rollins-Boyd, David, Counsel for Amicus;

Rosenberg, Ezra D., Counsel for Amicus;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Rueckert, Jens, *Pendergrass* Plaintiff;

Ruiz Toro, Juan M., Counsel for *APA* Plaintiffs;

Rutahindurwa, Makeba, Counsel for *Grant* and *Pendergrass* Plaintiffs;

Savitsky, Ari J., Counsel for *APA* Plaintiffs;

Shaw, Abigail, Former Counsel for *APA* Plaintiffs;

Sivaram, Anuradha, Former Counsel for *APA* Plaintiffs;

Sixth District of the African Methodist Episcopal Church, *APA* Plaintiff;

Smith, Casey Katherine, Counsel for *APA* Plaintiffs;

Solomon, Elbert, *Grant* Plaintiff;

Southern Poverty Law Center, Counsel for Amicus;

Sparks, Adam M., Counsel for *Grant* and *Pendergrass* Plaintiffs;

Steiner, Neil, Counsel for Amicus;

Stewart, Janice, *APA* Plaintiff;

Stewart, Michael Elliot, Counsel for Intervenor;

Strickland, Frank B., Counsel for Defendant;

Sullivan, Rebecca N., Former Defendant in *Grant* and *Pendergrass*;

Sykes, Eunice, *Grant* Plaintiff;

Taylor English Duma LLP, Counsel for Defendant;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Thomas, Ursula, Amicus;

Tolbert, Elroy, *Grant* Plaintiff;

Tsai, Denise, Counsel for *APA* Plaintiffs;

Tyson, Bryan P., Counsel for Defendant;

United States Department of Justice, Intervenor;

Varghese, George P., Counsel for *APA* Plaintiffs;

Vaughan, Elizabeth Marie Wilson, Former Counsel for Defendant;

Webb, Bryan K., Counsel for Defendant;

Weigel, Daniel H., Counsel for Defendant;

Weitzman, Samuel, Former Counsel for *APA* Plaintiffs;

White, Graham, Former Counsel for *Grant* and *Pendergrass*  
Plaintiffs;

Willard, Russell D., Counsel for Defendant;

Williams, Ayana, Former Counsel for *APA* Plaintiffs;

Williams, H. Benjamin, Amicus;

Williams, Edward Henderson, Counsel for *APA* Plaintiffs;

Wilmer Cutler Pickering Hale and Dorr LLP, Counsel for *APA*  
Plaintiffs;

Wimbish, Dexter, *Grant* Plaintiff;

Woods, Eric T., *APA* Plaintiff;

*Alpha Phi Alpha Fraternity v. Sec'y of State of Ga.*, No. 24-10230;

*Pendergrass v. Sec'y of State of Ga.*, No. 24-10231;

*Grant v. Sec'y of State of Ga.*, No. 24-10241

Young, Sean Jengwei, Former Counsel for *APA* Plaintiffs;

Zabel, Joseph D., Former Counsel for *APA* Plaintiffs

/s/ Bryan P. Tyson

Bryan P. Tyson

**MOTION FOR EXTENSION OF TIME TO FILE  
APPELLEE'S BRIEF**

Pursuant to FRAP 26(b) and 11th Cir. R. 31-2(d), counsel for Appellee Secretary of State in the above-captioned appeal seeks an extension of time of 30 additional days to file his response brief. Good cause and extraordinary circumstances justify these requests.

These three appeals arise from district court orders approving legislatively drawn, remedial, statewide redistricting plans for the state of Georgia, which were redrawn following an order of the district court enjoining the use of then-current maps. The Secretary appealed the merits order, which is the subject of separate appeals before this Court, and Plaintiff-Appellants appealed the order approving the *remedial* plans, which is the subject of these appeals. Appeals of all three remedial orders are on the same schedule. Unlike the merits appeals, which were consolidated, these remedial appeals involve separate orders with specific facts related to the particular maps challenged and different legal arguments by each group of Plaintiff-Appellants.

The Secretary seeks an additional 30 days to prepare his response briefs in these appeals regarding the remedial plans. The Secretary's response briefs are currently due on July 3, 2024.

Since the first extension granted on May 7, 2024, counsel for the Secretary has been required to deal with much greater-than-normal demands on time, including multiple oral arguments in this Court and other courts, as well as numerous briefing deadlines in the U.S. Supreme Court, other U.S. Courts of Appeal, U.S. District Courts, and state courts.

Any delay will not prejudice Plaintiff-Appellants because the district court's approval of the remedial redistricting plans means the earliest any election could be held on any other redistricting plan is 2026. A 30-day extension is highly unlikely to have any impact on the ability of the Court to resolve these appeals well in advance of the 2026 election.

Counsel for the Secretary has consulted with counsel for each group of Plaintiff-Appellants and they consent to this motion.

The Secretary therefore requests that this Court extend the time for his response brief by 30 days from the existing July 3, 2024 deadline to August 2, 2024.

Respectfully submitted this 10<sup>th</sup> day of June, 2024.

/s/Bryan P. Tyson

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*Counsel for the Secretary of State of Georgia*

## **CERTIFICATE OF COMPLIANCE**

This document complies with the type-volume limitation of Rule 27(d)(2)(A) of the Federal Rules of Appellate Procedure because it contains 342 words as counted by the word-processing system used to prepare the document.

/s/ Bryan P. Tyson  
Bryan P. Tyson



### **CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2024, I served this brief by electronically filing it with this Court's ECF system, which constitutes service on all attorneys who have appeared in this case and are registered to use the ECF system.

/s/ Bryan P. Tyson  
Bryan P. Tyson